

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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09/898104  
07/03/01



APPLICATION OF: Chrai et al.

SERIAL NO: 09/095,616

GROUP ART UNIT: 1616

FILED: June 10, 1998

EXAMINER: Kathryn E. Shelborne

FOR: PHARMACEUTICAL PRODUCT AND METHOD OF MAKING

DOCKET NO: 176650-8

Assistant Commissioner for Patents  
Washington, DC 20231

SIR:

Pursuant to 37 C.F.R. §1.56(a), Applicant(s) hereby cite(s) the enclosed documents listed on the attached copy of Form PTO-1449 which are believed to be material to the patentability of the above-identified application.

This Information Disclosure Statement is filed in accordance with the paragraph of 37 CFR §1.97 indicated below:

       §1.97(b) This Information Disclosure Statement is filed:

- (1) Within three months of the filing date of a national application; OR
- (2) Within three months of the date of entry of the national stage of an international application; OR
- (3) Before the mailing of a first Office Action on the merits.

No fee or certification is required.

X §1.97(c) This Information Disclosure Statement is filed after the period specified in paragraph (b) above, but before the mailing date of either:

- (1) A Final Action or under 37 CFR §1.113; OR
- (2) A Notice of Allowance under 37 CFR §1.311; AND

is accompanied by either: (check one)

       The Certification as specified in 37 CFR §1.97(e) set out below; OR

X The fee of \$230.00 under 37 CFR §1.17(p).

§1.97(d) This Information Disclosure Statement is filed after the mailing date of either:

- (1) a Final Action or under 37 CFR §1.113; OR
- (2) A Notice of Allowance under 37 CFR §1.311;

BUT filed on or before payment of the Issue Fee; AND  
is accompanied by:

- (1) The certification as specified in 37 CFR §1.97(e) as set forth below; AND
- (2) Petition is hereby made under 37 CFR §1.97(d) for consideration of this Information Disclosure Statement; AND,
- (3) The petition fee of \$130.00 set out in 37 CFR §1.17(i).

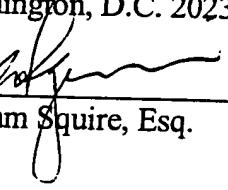
§1.97(e) The undersigned Attorney hereby certifies that:

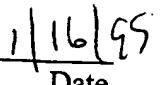
- each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of this Information Disclosure Statement; or
- no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, or to the knowledge of the undersigned Attorney after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing date of the Information Disclosure Statement.

The Commissioner is authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 03-0678.

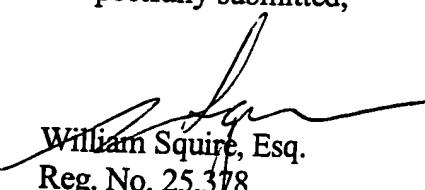
FIRST CLASS CERTIFICATE

I hereby certify that this correspondence is being deposited today with the U.S. Postal Service as First Class Mail in an envelope addressed to:  
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William Squire, Esq.

  
Date

Respectfully submitted,

  
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Form PTO-1449

INFORMATION DISCLOSURE STATEMENT

Atty. Docket:

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100-09/898104  
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07

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## U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Sub-Class	Filing Date
	A1	US 4,128,445A	5/12/78	Sturzenegger et al.			
	B1	US 4,154,636	5/15/79	Motoyama et al.			
	C1						
	D1						
	E1						
	F1						
	G1						
	H1						
	I1						
	J1						
	K1						
	L1						
	M1						

## FOREIGN PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Country	Class	Sub-Class	Translation
		EP 0065370 A	11/24/82	European			Yes
		WO98 20 861 A	5/22/98	International			Yes

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)


Examiner:

Date Considered:

EXAMINER:

Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.